



City of Seattle

Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 3011776
Applicant Name: Joel Egan of Hybrid Architecture
Address of Proposal: 1430 2nd Avenue

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a modular structure (128 sq. ft.) to serve as a temporary kiosk for automotive retail sales and services.

The following approval is required:

Temporary Use - to allow a temporary use for up to six months.
(SMC Section 23.42.040.C)

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS
☐ DNS with conditions.
☐ DNS involving another agency with jurisdiction.

BACKGROUND INFORMATION

Site and Vicinity Description

The subject site is located at the southeast corner of 2nd Ave and Pike Street in downtown. The property is zoned Downtown Mixed Commercial (DMC 240/290-400).

The site is occupied by an area being used as a surface parking lot, with an approximately 9-story parking structure adjacent to the south. A three story commercial structure is located across the alley east of the site. Parking structures and mixed-use structures are located along 2nd Avenue near the site. Nearby development ranges from three to 40 stories tall. Historic landmark structures are located to the southeast across the alley and to the northwest across the intersection. There are no environmentally critical areas on the site.

Proposal Description

The proposal is to place a temporary moveable structure on the site, near the north property line. The structure would be a modular building that measures 8 feet tall at the finished ceiling and 17'1" tall at the top of the graphics and frame mounted on the roof of the structure. The structure would be 8' wide x 17' long and would be placed 6' from the north property line and 9'4" from the west property line. 700 square feet of paving surrounding the structure would be replaced with pervious vegetated paving. The entry to the structure would face Pike Street.

The site is currently occupied by an unpermitted surface parking lot that is in review with DPD under the separate permit application #3011025 (Administrative Conditional Use and SEPA to permit parking in violation on this site). A separate application for a new development at the site is also in review with DPD under permit application number 3009156 (Design Review and SEPA to construct a new 400' tall mixed use structure on the site). Neither of these permits has been issued.

Public Comments

The public comment period for this project began on November 18, 2010 and ended on December 1, 2010. No comment letters were received.

ANALYSIS - TEMPORARY USE

The Seattle Land Use Code allows for intermittent or temporary uses not otherwise permitted or not meeting development standards in the zone, per SMC 23.42.040.

C. Temporary Uses for Up to Six (6) Months. A Master Use Permit for a time period of up to six (6) months may be authorized for any use that does not involve the erection of any permanent structure and that meets the requirements of section A 1 a-c above.

The proposed structure is a prefabricated relocatable module and would not be a permanent structure.

The response to requirements SMC 23.42.040.A.1 a-c are listed below.

A. Intermittent Uses.

1. A Master Use Permit for a time period of up to one (1) year may be authorized for any use that occurs no more than two (2) days per week and does not involve the erection of a permanent structure, provided that:

a. The use shall not be materially detrimental to the public welfare; and

The proposal is for a temporary 8'x16' kiosk structure that is 8' tall with a sign structure on top for a total height of 17'1". It would be located in a dense urban environment on a site currently being used for surface parking, surrounded by much taller structures that occupy entire blocks.

The proposal is minimal and will not interfere with pedestrian safety, activity at the street level, or be materially detrimental to the public welfare.

b. The use shall not result in substantial injury to the property in the vicinity; and

The surrounding development on this block and across the street includes three to 20 story tall buildings. The proposal described will occupy a small area of the site currently used as a surface parking lot, and will be located adjacent to a property line that is not adjacent to any other structures. There is no required parking in downtown zones, so the proposed use would not occupy any parking spaces required for any use. There is no evidence of possible substantial injury to properties in the vicinity as a result of this proposal.

c. The use shall be consistent with the spirit and purpose of the Land Use Code.

The Land Use Code provides for temporary uses that meet the criteria listed above. The request for the temporary use meets all the criteria and will not be materially detrimental to the public welfare or result in substantial injury to the properties in the vicinity.

DECISION – TEMPORARY USE

The TEMPORARY USE application for six months is **GRANTED**.

TEMPORARY USE CONDITIONS

None.

Signature: _____ (signature on file)
Shelley Bolser, Senior Land Use Planner
AICP, LEED AP
Department of Planning and Development

Date: December 20, 2010